

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of a utility or plant application
filed on or after June 8, 1995.

See The American Inventor Protection Act of 1999 (AIPA)

Application Number	09/607,156
Filing Date	June 29, 2000
First Named Inventor	Marcel Loetscher
Group Art Unit	1646
Examiner Name	J. Murphy
Attorney Docket Number	2225.1001-009

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See *Changes to Application Examination and Provisional Application Practice*, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); *Interim Rule*, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

a. ☒ Previously submitted

i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on December 4, 2001.
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on [].

iii. ☐ Other -- [].

b. ☒ Enclosed

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☒ Other -- Petition for Extension of Time, Remarks and Request for Interview and Change of Correspondence Address.

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of [] months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ Other -- [].

3. Fees

The RCE fee under 37 CFR § 1.17(a) is required by 37 CFR § 1.114 when the RCE is filed.

a. ☐ A check is enclosed for the following fees in the amount of \$1260.00
OR

☒ Authorization is granted to charge the following fees to Deposit Account No. 08-0380.

b. i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii. ☐ Amendment Fee

iv. ☐ Other -- [].

c. ☒ Authorization is hereby granted to charge any insufficiency in fees or credit any overpayments to Deposit Account No. 08-0380.

01/24/2002 STHOMAS 00000004 080380 09607156
01 FC:179 740.00 CH

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Name (Print/Type)

Robert H. Underwood

Registration No. (Attorney/Agent)

45,170

Signature

Robert H. Underwood

Date

January 15, 2002

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)

Sandra J. Jarmal

Signature

Sandra J. Jarmal

Date

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January 15, 2002

PATENT APPLICATION
Attorney's Docket No.: 2225.1001-009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Marcel Loetscher and Bernhard Moser
Application No.: 09/607,156 Group Art Unit: 1646
Filed: June 29, 2000 Examiner: J. Murphy
For: IP-10/MIG RECEPTOR DESIGNATED CXCR3, NUCLEIC ACIDS, AND
METHODS OF USE THEREFOR

CERTIFICATE OF FACSIMILE TRANSMISSION	
I hereby certify that this correspondence is being facsimile transmitted in the United States Patent and Trademark Office:	
on <u>1-15-02</u>	<u>Sandra Forman</u>
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REMARKS AND REQUEST FOR INTERVIEW

Box RCE
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In the Advisory Action dated January 7, 2002, the Examiner refers to the reply filed 07 December 2001. However, no reply was filed on that date. A reply to the Office Action dated July 25, 2001 consisting of an Amendment After Final Rejection Under 37 C.F.R. § 1.116, Marked Up Version of Amendments (pp. i), Amendment Fee Letter, Petition for Extension of Time, Exhibit A and copy of postcard receipt for Transmittal of Proposed Drawing Corrections and New Formal Drawings was filed in the PTO via facsimile on December 4, 2001. It appears that the Examiner intended to refer to the papers filed on December 4, 2001 in the Advisory Action. The Examiner is respectfully requested to confirm that the Advisory Action was issued

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in response to the Amendment and associated papers filed via facsimile on December 4, 2001 in the next office communication.

Request for Telephonic Interview

Applicants' representatives request a telephonic interview with the Examiner prior to further action in this application. The Examiner is invited to call the undersigned to arrange a convenient day and time.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Robert H. Underwood

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Dated: *January 15, 2002*